

**L.N. 213 of 2004****EMPLOYEES' COMPENSATION ORDINANCE (AMENDMENT OF SECOND SCHEDULE) ORDER 2004**

(Made under section 35 of the Employees' Compensation Ordinance (Cap. 282))

**1. Commencement**

This Order shall come into operation on a day to be appointed by the Commissioner for Labour by notice published in the Gazette.

**2. Occupational diseases**

The Second Schedule to the Employees' Compensation Ordinance (Cap. 282) is amended by adding—

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|--|---|----------|
| “B11 Severe acute respiratory syndrome | Any occupation involving close and frequent contacts with a source or sources of severe acute respiratory syndrome infection by reason of employment—                       | 1 month. |
|  | (a) in the medical treatment or nursing of a person suffering from severe acute respiratory syndrome, or in a service ancillary to that treatment or nursing;               |          |
|  | (b) in attending to a person suffering from severe acute respiratory syndrome, where the need for attendance arises by reason of the person's physical or mental infirmity; |          |
|  | (c) in identifying, detecting, tracing, isolating, detaining, supervising or surveillance of a person suffering from severe acute respiratory syndrome;                     |          |
|  | (d) as a research worker engaged in research in connection with severe acute respiratory syndrome, or in a service ancillary to that research; or                           |          |

- (e) as a laboratory worker, pathologist, post-mortem worker or funeral services worker, where the employment involves the handling of any human body or other materials that are a source of severe acute respiratory syndrome infection, or in a service ancillary to that handling.
- B12 Avian influenza A Any occupation involving close and frequent contacts with a source or sources of avian influenza A infection by reason of employment— 14 days.”.
- (a) as a worker engaged in the handling of poultry or birds or their remains, residues or untreated products, that are a source of avian influenza A infection, or in a service ancillary to that handling;
- (b) as a research worker engaged in research in connection with avian influenza A, or in a service ancillary to that research; or
- (c) as a laboratory worker engaged in the handling of materials that are a source of avian influenza A infection, or in a service ancillary to that handling.

Matthew CHEUNG Kin-chung  
Commissioner for Labour

7 December 2004

### Explanatory Note

The Second Schedule to the Employees' Compensation Ordinance (Cap. 282) specifies a list of occupational diseases in respect of which employees' compensation is payable under the Ordinance. The Schedule also specifies the nature of the trade, industry or process associated with the occupational

diseases and the prescribed period for the purpose of determining the liability to compensation. If the incapacity or death of an employee results from an occupational disease and is due to the nature of any employment in which the employee was employed at any time within the prescribed period immediately preceding such incapacity or death, the employee or members of his family, as the case may be, shall be entitled to compensation under the Ordinance as if such incapacity or death had been caused by an accident arising out of and in the course of employment.

2. The object of this Order is to add 2 occupational diseases, namely, severe acute respiratory syndrome and avian influenza A, to the Second Schedule to the Ordinance.